

241-322

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

February 12, 2014

Mr. Chris Hofelt
BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709-3528

Subject: Amendment: Revise Master Label and Adding Supplemental Label
Amdro® Fire Ant Insecticide
EPA Reg. No. 241-322
Your Submission Dated September 24, 2013

Dear Mr. Hofelt :

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable. A stamped copy of the label is enclosed for your records.

Note, incorporate the supplemental labeling into the master label at the next printing of the product label or within 18 months whichever comes first.

If you have any questions regarding this action, please contact BeWanda Alexander at Alexander.bewanda@epa.gov or (703) 305-7460.

Sincerely,

A handwritten signature in black ink that reads "BeWanda Alexander for".

Richard Gebken
Product Manager Team 10
Insecticide Branch
Registration Division (7505P)

Enclosure

FIRST AID	
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
If in eyes	<ul style="list-style-type: none"> • Hold eyes open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes; then continue rinsing eyes. • Call a poison control center or doctor for treatment advice.
If swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • DO NOT induce vomiting unless told to do so by the poison control center or doctor. • DO NOT give anything by mouth to an unconscious person.
HOTLINE NUMBER	
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact BASF Corporation for emergency medical treatment information at 1-800-832-HELP (4357).</p>	

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION. Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. May be harmful if swallowed.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves, such as rubber or waterproof gloves
- Shoes plus socks

Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Engineering Controls Statement

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

Environmental Hazards

This product is toxic to fish. **DO NOT** apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. **DO NOT** contaminate water when disposing of equipment wash-water or rinsate. **DO NOT** apply when weather conditions favor drift from target areas.

Directions For Use

It is a violation of federal law to use this product in a manner inconsistent with its labeling. **DO NOT** apply this product by any method not specified on this label.

DO NOT apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your state or tribe, consult the agency responsible for pesticide regulation.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

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AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

DO NOT enter or allow worker entry into treated areas during the restricted-entry interval (REI) of **12 hours**.

The PPE required for early entry to treated areas which is permitted under the Worker Protection Standard and that involves contact with anything which has been treated, such as plants, soil, or water, is:

- Coveralls
- Chemical-resistant gloves, such as rubber or waterproof gloves
- Shoes plus socks

NONAGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standards for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

- Keep unprotected persons out of treated area during pesticide applications.

STORAGE AND DISPOSAL

DO NOT contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

Pesticide Storage

Store in cool, dry, secure place and keep container tightly closed. Store container away from pets. This product is formulated in an oil bait. Prolonged exposure to air may turn oil rancid and reduce the attractiveness of the bait. Use within 3 months after opening.

Pesticide Disposal

Wastes resulting from the use of this product may be disposed of on-site or at an approved waste disposal facility.

Container Handling

(for plastic containers)

Nonrefillable Container. DO NOT reuse or refill this container. After completely emptying container into application equipment, offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

(for paper or plastic bags)

Nonrefillable Container. DO NOT reuse or refill this container. After completely emptying container into application equipment, dispose of empty bag in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

Product Information

Amdro® Fire Ant Insecticide is a bait which is highly attractive to imported and native fire ants and other ants. Worker ants carry the bait into the mound as food for the colony. The bait is eaten, fed to the queen, and the mound is destroyed. **Amdro** starts to kill ants immediately. In about a week the queen is dead, destroying the mound. Further information regarding ants can be obtained from your Cooperative Agricultural Extension Service.

Amdro controls:

Imported fire ants, little fire ants, native fire ants, and other ants, such as harvester ants, bigheaded ants, and Argentine ants.

Drift Management

Avoiding drift at the application site is the responsibility of the applicator. The interaction of many equipment-related and weather-related factors determines the potential for drift. The applicator and the grower are responsible for considering all these factors when making decisions.

Where states have more stringent regulations, they must be observed.

The applicator should be familiar with and take into account the information covered in the **Aerial Drift Reduction Advisory** section.

Aerial Drift Reduction Advisory

Application Height

DO NOT release pesticide at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety.

Swath Adjustment

When applications are made with a crosswind, the swath will be displaced downwind. Therefore, on the upwind and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase with increasing drift potential (higher wind, etc.).

Wind

Drift potential is lowest between wind speeds of 2 to 10 mph. However, many factors, including equipment type, determine drift potential at any given speed.

NOTE: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect drift.

Sensitive Areas

The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g. residential areas, bodies of water, known habitat for threatened or endangered species, nontarget crops) is minimal (e.g. when wind is blowing away from sensitive areas).

Application Instructions

Indoor Uses

Amdro® Fire Ant Insecticide may be applied in homes, residential, commercial, and other structures, and in the nonfood/nonfeed areas of institutional, warehousing, and commercial establishments, such as groceries and supermarkets, hotels and motels, hospitals and nursing homes, schools, laboratories, computer facilities, food storage areas, sewers, transportation equipment, pet shops or zoos, and in the inedible product areas of meat or poultry plants. Nonfood areas can include garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage (after canning or bottling).

In the home, all food processing surfaces and utensils must be covered during treatment or thoroughly washed before use. Cover or remove exposed food.

Using a duster or similar equipment, apply bait **ONLY** into cracks and crevices or other inaccessible areas such as, but not limited to, structural voids, unfinished attics, or crawl spaces. Apply 0.25 to 0.5 ounce per crack, crevice, or other inaccessible area where ants are entering the structure or where ants are nesting. Clean up any loose or excess bait. Apply evenly in unfinished attics and crawl spaces at a rate of 0.25 ounce per 100 square feet only if the space is secured or otherwise inaccessible to children or domestic animals.

Outdoor Uses

Amdro may be applied outdoors on lawns, landscaped areas, golf courses, and other noncropland areas such as airports, roadsides, cemeteries, commercial grounds, parks, school grounds, picnic grounds, athletic fields, and other recreational areas, as well as on grounds surrounding poultry houses (excluding runs and ranges) or corrals and other animal holding areas. **DO NOT** expose animals to **Amdro** granules.

Amdro may be applied in and around container or field-grown ornamental and nonbearing nursery stock and on sod farms (commercial turf). **Amdro** can also be applied to the soil around nonbearing fruit or nut trees. **DO NOT** harvest food/feed from nonbearing nursery stocks within 1 year of application.

DO NOT graze or feed lawn or sod clippings to livestock.

Apply when ants are actively foraging (typically when soil temperature is greater than 60° F). Test using a small amount of bait near a fire ant mound. Repeat applications as needed.

Table 1. Outdoor Use Application Instructions

Treatment	Rate	Comments
Individual Mounds: Imported fire ants Little fire ants Native fire ants Harvester ants Bigheaded ants Argentine ant	2 to 5 level tablespoons	<ul style="list-style-type: none"> Distribute bait uniformly around the mound. DO NOT disturb the mound. DO NOT apply more than 2.0 lbs per acre. DO NOT contaminate kitchen utensils by use or storage.
Broadcast Treatment: Imported fire ants Little fire ants Native fire ants Harvester ants	1.0 to 1.5 lbs/acre (2.0 to 3.0 ozs/5000 sq ft)	<ul style="list-style-type: none"> Broadcast bait uniformly with ground (granular spreaders) or aerial equipment.
Broadcast Treatment: Bigheaded ants Argentine ant	1.0 to 2.0 lbs/acre (2.0 to 4.0 ozs/5000 sq ft)	<ul style="list-style-type: none"> Broadcast bait uniformly with ground (granular spreaders) or aerial equipment.

Grass Forage (Pasture and Rangeland)

Fire Ant Use Areas

For fire ant control in grass forage (pasture and rangeland), **Amdro® Fire Ant Insecticide** or a blend of **Amdro** plus **Extinguish® Professional Fire Ant Bait** can only be used in the following states:

Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia

Use of **Amdro** on grass forage in states other than those listed is unlawful.

Apply **Amdro** on grass forage (pasture and rangeland) to control ants. For fire ant control, refer to the **Fire Ant Use Areas** section. **DO NOT** exceed the maximum application rate of 8.0 lbs per acre per year. **DO NOT** apply more than 4 times per year with a minimum application interval of 90 days. Refer to **Table 1. Outdoor Use Application Instructions** for additional application information.

DO NOT cut and bale hay from pastures and rangeland treated with **Amdro** until 7 days after the bait application is made. The cutting and baling hay restrictions do not apply when the treated pasture and rangeland is used solely to support companion animals (e.g. horses, llamas). These companion animals cannot be used for food or feed.

Amdro plus Extinguish

Apply a blend of **Amdro** and **Extinguish** to control imported fire ants in nonagricultural lands and grass forage (pasture and rangeland). For grass forage (pasture and rangeland), refer to the **Fire Ant Use Areas** section. These products cannot be mixed with any other product bearing a label prohibiting such mixing. Always read and follow all label directions when using any pesticide alone or in tank mix/hopper blend combinations. Observe all conditions, restrictions, and precautions that appear on all product labels. The most restrictive labeling applies when using tank mixtures.

Table 2. Amdro plus Extinguish Application Directions

Treatment	Rate	Comments
Broadcast Treatment: Imported fire ants	0.75 lb/acre Amdro plus 0.75 lb/acre Extinguish	<ul style="list-style-type: none"> Mix bait products together thoroughly before application. Distribute bait uniformly with ground (granular spreaders) or aerial equipment.

Pineapple

Apply **Amdro** in pineapple fields and in uncultivated land surrounding pineapple fields to control ants.

Conduct ant surveys to monitor ant populations before and after treatments.

Aerial applications are prohibited within:

- 200 ft of irrigation ditches, streams, ponds, and public roadways
- 1000 ft of residential areas

DO NOT make applications if it is likely to rain within 1 hour of application.

DO NOT exceed 6.0 lbs of **Amdro** per acre within any 12-month period.

DO NOT harvest within 30 days after last application.

DO NOT feed green chop (leaves and crowns) to animals.

Table 3. Pineapple Application Directions

Treatment	Rate	Comments
Individual Mounds: Imported fire ants Little fire ants Native fire ants Bigheaded ants Argentine ant	5 level tablespoons	<ul style="list-style-type: none"> Distribute bait uniformly around the mound. DO NOT disturb the mound. DO NOT contaminate kitchen utensils by use or storage.
Broadcast Treatment: Imported fire ants Little fire ants Native fire ants	1.0 to 1.5 lbs/acre/ application	<ul style="list-style-type: none"> Broadcast by ground or aerial equipment (helicopter only) using disc or turbine blower-type spreaders to all infested fields. Apply the first application approximately 1 month after planting. Apply Amdro no more than 4 applications per 12-month period with minimum application intervals of 90 days.

(continued)

Table 3. Pineapple Application Directions *(continued)*

Treatment	Rate	Comments
Broadcast Treatment: Bigheaded ants Argentine ant	1.0 to 1.5 lbs/acre/ application for moderate infestations	<ul style="list-style-type: none"> Broadcast by ground or aerial equipment (helicopter only) using disc or turbine blower-type spreaders to all infested fields.
	1.5 to 3.0 lbs/acre/ application for heavier infestations	<ul style="list-style-type: none"> Apply the first application approximately 1 month after planting. Apply Amdro® Fire Ant Insecticide no more than 4 applications per 12-month period with minimum application intervals of 90 days.

Tropical Fruit and Nut Orchards

Amdro may be applied in tropical fruit and nut orchards when applied in bait stations. Tropical fruit and nut orchard crops include:

Abiu, acerola, akee apple, almond, ambarella, atemoya, avocado, banana, betel nut, biriba, black sapote, blimbe, breadfruit, canistel, carob bean, cashew, cherimoya, citrus, coconut, coffee, custard apple, date, durian, feijoa, fig, Governor's plum, green sapote, guava, ilama, imbe, imbu, Indian jujube, jaboticaba, jackfruit, jujube, longan, lychee, macadamia nut, mamey apple, mamey sapote, mango, mangosteen, marmaladebox, monstera, mountain papaya, naranjilla, Natal plum, noni, olie, otaheite gooseberry, papaya, passionfruit, pawpaw, persimmon, pili nut, pitaya, pomegranate, pomerac, prickly pear, pulasan, rambutan, rose apple, sapodilla, sentul, soursop, Spanish lime, star apple, starfruit, strawberry pear, sugar apple, Surinam cherry, tamarind, wax jambu

Place **Amdro** into bait stations (see **Bait Station Application Directions** for a list of applicable bait stations) that have been positioned in and around the listed orchard crops. **DO NOT** apply **Amdro** directly to the ground around these crops. **DO NOT** apply directly to any part of the crop plant.

Apply **Amdro** for control of bigheaded ants, fire ants, or little fire ants.

When applying for control of little fire ants, apply **Amdro** in orchards **only** during non-fruiting periods of the growing season to avoid possible contamination of the fruit. Remove bait stations from orchard after flowering but before fruiting structures appear on crop plants. **DO NOT** apply **Amdro** in orchards when fruits are present on crop plants.

Grape and Blueberry

Amdro may be applied in grape and blueberry crops when applied in bait stations. Place **Amdro** into bait stations (see **Bait Station Application Directions** for a list of applicable bait stations) that have been positioned in and around these crops. **DO NOT** apply **Amdro** directly to the ground around these crops. **DO NOT** apply directly to any part of the crop plant.

Apply **Amdro** for control of bigheaded ants, fire ants, or little fire ants.

When applying for control of little fire ants, apply **Amdro** in crops **only** during non-fruiting periods of the growing season to avoid possible contamination of the fruit. Remove bait stations from crops after flowering but before fruiting structures appear on crop plants. **DO NOT** apply **Amdro** in crops when fruits are present on crop plants.

Bait Station Application Directions

Fields with Actively Foraging Ants

See the **Bait Station Chart** to determine the amount of **Amdro** to place into bait stations spaced at various lengths. Place the specified amount of **Amdro** into the bait station depending on spacing of bait stations in the fields. Other bait station spacing may be used (e.g. 8 x 8, 22 x 22, etc.) depending on the design of the orchard, spacing of trees, and/or applicator preference to keep bait stations away from heavy traffic areas or roads or alleyways. Recalculate the amount of **Amdro** to place in the bait station depending on the actual spacing of bait stations used. **DO NOT** exceed 1.5 lbs of **Amdro** per acre when applied in bait stations.

After a minimum of 2 weeks, move bait stations further away from treated area into adjacent infested areas. Place bait stations at desired spacing, and place the specified amount of **Amdro** into the bait station. However, if ants continue to actively forage in or around bait stations, leave bait stations in place (and refill as necessary only with the specified amounts of **Amdro**) until foraging activity is minimal or has ceased. Bait stations need not be placed immediately adjacent to nests.

Along Field Border (to prevent ants from reinfesting field)

Place bait stations in border areas of the fields at between 10 ft x 10 ft and 50 ft x 50 ft spacings, depending on orchard configuration and intensity of ant infestation. Refer to the **Bait Station Chart** and place the specified amount of **Amdro** into the bait station depending on the spacing of bait stations. Monitor stations at 2-week intervals and replace **Amdro** as necessary.

Bait Replacement in Bait Stations

Monitor bait stations to determine if ants are present. If ants are not present or **Amdro® Fire Ant Insecticide** has remained in the bait station for more than 10 weeks, remove **Amdro** from the bait station and distribute uniformly in noncrop border areas. Replace with the specified amount (see **Bait Station Chart**; amount depends on bait station spacing) of fresh **Amdro** in the bait station and continue to monitor ant activity and **Amdro** at 2-week intervals, or remove bait station from site.

Amdro will remain effective for up to 10 weeks (or longer) depending on environmental conditions. Excessively wet conditions (prolonged high humidity, frequent and prolonged rainfall, and heavy mist) can reduce the effectiveness of **Amdro**. Monitor ant activity in and around bait station and replace bait as necessary. Monitor ant activity by visual or mechanical (e.g. traps) methods.

Bait Stations

Several bait stations have been tested and allow ants to take the bait (e.g. **Perimeter Patrol System Ant Bait**, **Drax® Liquidator™ Ant Bait**, **A.C.E. Station**, **Ants-No-More® Ant Bait**). Bait stations that minimize exposure to sunlight (dark colored) and moisture will help retain the effectiveness of **Amdro**.

Bait Station Chart		
Bait Station Spacing (feet x feet)	Amdro (grams) per bait station	Amdro (ounces) per bait station
50 x 50	39.0	1.375
45 x 45	31.6	1.115
40 x 40	25.0	0.88
35 x 35	19.2	0.675
30 x 30	14.0	0.495
25 x 25	10.0	0.345
20 x 20	6.5	0.22
15 x 15	3.5	0.124
10 x 10	1.6	0.055

Conditions of Sale and Warranty

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

PC309

Amdro is a registered trademark of Central Garden & Pet Company.

Siege is a registered trademark of BASF.

Ants-No-More is a registered trademark of Kness Mfg. Co., Inc.

Drax is a registered trademark of Waterbury Companies, Inc.

Extinguish is a registered trademark of Wellmark International.

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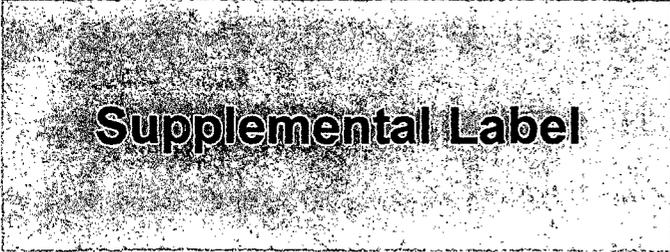
000241-00322.20130924.NVA 2013-04-166-0199
Supersedes: NVA 2012-04-166-0196
Supplemental: NVA 2013-04-166-0228

BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709



The Chemical Company

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Amended use area for fire ants in grass forage (pasture and rangeland)

This supplemental label expires December 31, 2015, and must not be used or distributed after this date.

Active Ingredient:

hydramethylinon: tetrahydro-5,5-dimethyl-2(1H)-pyrimidinone(3-[4-(trifluoromethyl)phenyl]-1-(2-[4-(trifluoromethyl)phenyl]-ethenyl)-2-propenylidene) hydrazone 0.73%

Other Ingredients:..... 99.27%

Total: 100.00%

EPA Reg. No. 241-322

Directions For Use

- It is a violation of federal law to use this product in a manner inconsistent with its labeling.
- The supplemental labeling and the entire **Amdro[®] Pro Fire Ant Bait** container label, EPA Reg. No. 241-322, must be in possession of the user at the time of application.
- Read the label affixed to the container for **Amdro Pro** before applying.
- Use of **Amdro Pro** according to this labeling is subject to the use precautions and limitations imposed by the label affixed to the container for **Amdro Pro**.

Grass Forage (Pasture and Rangeland)

Fire Ant Use Areas

For fire ant control in grass forage (pasture and rangeland), **Amdro Pro** or a blend of **Amdro Pro** plus **Extinguish[®] Professional Fire Ant Bait** can only be used in the following states:

Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia

Use of **Amdro Pro** on grass forage in states other than those listed is unlawful.

AS IS
(for EPA Submission)

ACCEPTED
FEB 12 2014

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide Registered under EPA Reg. No. **241-322**

Conditions of Sale and Warranty

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

PC309

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Supersedes: NVA 2012-04-166-0197

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The Chemical Company